



To: All HOME and CDBG Recipients  
From: IHFA Community Development Department  
Date: November 3, 2003

**Notice: FSP-03-15**

**Re: Community Development – HUD Lead Safe Housing Rule**

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In October 2003, HUD distributed a memorandum entitled Guidance for Implementing and Documenting Compliance with the Lead Safe Housing Rule, CFR Part 35, subparts B-R. The Lead Safe Housing Rule has been in effect since January 10, 2002. The following checklist is to reiterate to all recipients the forms that HUD require recipients to provide to beneficiaries and/or retain for lead support documentation:

\_\_\_\_\_ **Applicability Form** – A copy of a statement indicating that the property is *covered by* or *exempt from* Lead Safe Housing Rule. Exhibit E, Lead Based Paint Requirements Chapter of the Housing from Shelters to Homeownership Implementation Manual.

(Note: (A) If the property is exempt, the file should include the reason for the exemption; if the exemption is due to the property being built after 1978, documentation must be included; otherwise, no further documentation is required; (B) if the property is covered by the Rule, the file should include the appropriate documentation to indicate basic compliance, as listed below.)

\_\_\_\_\_ **Summary Paint Testing Report or Presumption Notice** – A copy of any report to indicate the presence of lead-based paint (LBP) for projects receiving up to \$5,000 per unit in rehabilitation assistance. If no testing was performed, then LBP is presumed to be on all disturbed surfaces. Exhibit F or Exhibit H, Lead Based Paint Requirements Chapter of the Housing from Shelters to Homeownership Implementation Manual.

\_\_\_\_\_ **Risk Assessment Report** – A copy of a report (in addition to the requirements of the Summary Paint Testing Report or Presumption Notice) to indicate any presence of lead-based paint hazards for projects receiving more than \$5,000 per unit in rehabilitation assistance. Exhibit G, Lead Based Paint Requirements Chapter of the Housing from Shelters to Homeownership Implementation Manual.

(Note: If the property receives more than \$25,000 in assistance, more stringent requirements apply, including compliance with applicable state requirements, as appropriate.)

\_\_\_\_\_ **Notice of Evaluation** – A copy of a notice demonstrating that an evaluation summary was provided to residents following a lead-based-paint inspection, risk assessment or

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paint testing. Exhibit \*, Lead Based Paint Requirements Chapter of the Housing from Shelters to Homeownership Implementation Manual.

\_\_\_\_\_ **Clearance Report** – A report indicating a “clearance examination” was performed of the work-site upon completion.

\_\_\_\_\_ **Notice of Hazard Reduction Completion** – Upon completion, a copy of a notice to show that a LBP remediation summary was provided to residents. Exhibit I, Lead Based Paint Requirements Chapter of the Housing from Shelters to Homeownership Implementation Manual.

The review of the applicability of lead-based paint requirements will be conducted and evaluated at monitoring. The support documentation and clearance report, including the inspector’s narrative that authorizes lead clearance on the property, will need to be accessible and available at final monitoring.

